

**RESOLUTION PROVIDING FOR RECALL OF
ELECTED OFFICIALS**

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: David L. Hogue

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify provisions relating to the removal of elected officials from office.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

► subject all elected officials in the state to removal from office by recall election, as provided by statute.

Special Clauses:

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides an effective date.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE VI, SECTION 21

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

Section 1. It is proposed to amend Utah Constitution Article VI, Section 21, to read:

Article VI, Section 21. [Removal of officers.]

(1) All officers not liable to impeachment shall be removed for any of the offenses specified in this article, in such manner as may be provided by ~~law~~ statute.



28 (2) All elected officers in the State are subject to being removed from office by recall
29 election as provided by statute.

30 Section 2. **Submittal to voters.**

31 The lieutenant governor is directed to submit this proposed amendment to the voters of
32 the state at the next regular general election in the manner provided by law.

33 Section 3. **Effective date.**

34 If the amendment proposed by this joint resolution is approved by a majority of those
35 voting on it at the next regular general election, the amendment shall take effect on January 1,
36 2005.

Legislative Review Note
as of 1-28-04 9:30 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HJR014

Resolution Providing for Recall of Elected Officials*02-Feb-04**10:27 AM*

State Impact

It is estimated that publication and distribution costs to put this resolution on the ballot would be \$11,500 from the General Fund.

	<u>FY 2005</u> <u>Approp.</u>	<u>FY 2006</u> <u>Approp.</u>	<u>FY 2005</u> <u>Revenue</u>	<u>FY 2006</u> <u>Revenue</u>
General Fund	\$11,500	\$0	\$0	\$0
TOTAL	\$11,500	\$0	\$0	\$0

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst